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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Collins, Jr. (et al.)

Serial No.: 10/061,381

Filed: February 1, 2002

For: CHECKOUT DEVICE INCLUDING INTEGRATED BARCODE READER,  
SCALE, AND EAS SYSTEM

Group: 2876

Examiner: Kim, Ahshik

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Durham, North Carolina  
March 11, 2004Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION**

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 703-872-9319 on the date set forth below

1. Interview Summary (3 pages)

Marianna Tortorelli

Printed name of person signing

Marianna Tortorelli

Signature

Date: March 11, 2004

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Interview Summary

Sir:

The Examiner is thanked for the courtesy of a telephone interview concerning the above case on March 11, 2004. This call was a culmination of several calls discussing the "lost file" status denoted in the PAIRS system as of January 20, 2004 in regard to the above referenced case.

On February 24, 2004, a call was made to the Examiner to investigate the meaning of the "lost file" designation for the case. The Examiner graciously agreed to investigate the matter.

Appl. No. 10/061,381

On February 27, 2004, a call was made to the Examiner to discuss the results of the Examiner's investigation. In this call, the Examiner reported that the matter was reported to a specialist for finding lost files and suspected that the PTO's move may have been responsible for the lost file. In that call, the Examiner made an assurance that all delay will be at the PTO's expense.

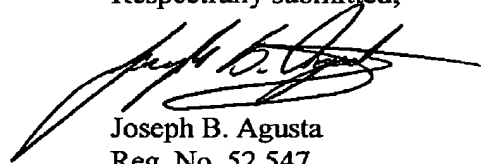
In the March 11, 2004 call, the Examiner advised that he believes that the file is currently being scanned in order to convert its contents to electronic media. Regardless of the cause for the file being lost, the Examiner has agreed that until he has access to the file, all time spent outside of his access will not count against the Applicant. The Applicant respectfully requests that the delay caused by the file being inaccessible to the Examiner be grounds for a patent term extension.

The last action taken on this case was an Amendment After Final which was filed by the Applicant on December 8, 2003. The filing of the Amendment After Final was within two months of October 23, 2003, the date of the previously mailed Office Action. Since the Examiner does not have access to the file, he has not been able to respond to this Amendment After Final. The Examiner agreed that once the file is available to him, he will consider the Amendment After Final as of its filing date.

Appl. No. 10/061,381

Applicant sincerely appreciates the Examiner's efforts to determine the whereabouts and status of the application file and his assistance in facilitating progress toward completion of prosecution of the application.

Respectfully submitted,



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